

TAFT SENDS MESSAGE TO CONGRESS

Both Houses Adjourn After the Long Document is Read

CIRCUIT JUDGE NAMES RECEIVER FOR RAILROAD

By Associated Press
SAN FRANCISCO, Dec. 7.—United States Circuit Judge Van Fleet today appointed Collector of the Port Frederick Stratton receiver of the Ocean Shore railroad. The appointment was made on application of the Baldwin Locomotive Works, which company obtained a judgment of \$4,700.85 against the railroad. Attorneys for the locomotive works stated that there are outstanding unsecured claims aggregating \$1,900,000 against the Ocean Shore company; that many notes had gone to protest, and that if a receiver was not appointed, the franchise and other property of the company would be sold piecemeal, causing great loss to the petitioner and other claimants.

ALEXANDER IS RE-ELECTED MAYOR OF LOS ANGELES

By Associated Press
LOS ANGELES, Dec. 7.—Unofficial reports of the municipal election held here today indicate tonight that George Alexander, the present mayor, has been re-elected by a majority of about 4500 over George Smith, the republican candidate, and that, together with Alexander, the entire ticket supported by the Good Government league has been elected.

PAPERS PRINTED 21 YEARS AGO ARE FOUND IN MINE

TONOPAH MAN MAKES INTERESTING FIND NEAR LUCKY-BOY DISTRICT

George R. Duncan, John Mesner and Pat Merriman, all of this city, while prospecting north and east of the Luckyboy district several days ago, came across an old series of workings in the Pamlico district, where work was conducted about 25 years ago. The men were out looking for good ground for W. S. Johnson, G. W. Summerfield, William Pierce and John Mesner, the last of whom was in the party. In the search they came across a tunnel that had been deserted for the past decade. The party explored the tunnel for a distance of 200 feet, where a south drift led 80 feet further. Near the face of the drift was found two old newspapers, a Police Gazette of the date of 1888 and a San Francisco Chronicle bearing the date of March 5, 1888. The papers were in an excellent state of preservation and in no way had been molested by desert rats or other animals common to desert life.

A body of ore 25 feet in width was also found in the tunnel from which a number of samples were taken.

Mr. Duncan, who returned yesterday from the district, thoroughly sampled the claim, and brought with him his selections, which are on exhibition in the window of this office. The different formations are shown and the specimens are interesting.

HONDURAS FEARS ARMED INVASION

By Associated Press
WASHINGTON, Dec. 7.—According to information received at the state department, the government of Honduras, apprehending armed invasion, has proclaimed martial law throughout the republic. From where the invasion is expected was not indicated.

Tariff, Nicaragua, Sugar Frauds and White Slavery are Among the Questions Discussed.

By Associated Press
WASHINGTON, Dec. 7.—Having assembled and received the president's annual message, congress today found itself literally "out of work." In consequence both houses adjourned until Friday, when if some of the various committees fail to provide something to do, another adjournment will be taken until Monday. The reading of the message consumed an hour and a half in each house.

The following is the message of the president, in brief:

"To the Senate and House of Representatives:

"The relations of the United States with all foreign governments have continued upon the normal basis of amity and good understanding and are very generally satisfactory.

"Since the Washington conventions of 1907 were communicated to the government of the United States as a consulting and advising party, this government has been almost continuously called upon by one or another, and in turn by all the five Central American republics to exert itself in the maintenance of the conventions. Nearly every complaint has been against the Zelaya government of Nicaragua, which has kept Central America in constant tension or turmoil. The responses made to the representations of Central American republics, as due from the United States on account of its relation to the Washington conventions, have been at all times conservative and have avoided, as far as possible, any semblance of interference, although it is very apparent that the considerations of geographic proximity to the canal zone and of the very substantial American interests in Central America give to the United States a special position in the zone of these republics and the Caribbean sea.

"I need not rehearse here the patient effort of this government to promote peace and welfare among these republics, efforts which are fully appreciated by the majority of them who are loyal to their true interests. It would be no less unnecessary to rehearse here the sad tale of unspeakable barbarities and committed by the Zelaya government. Recently two Americans were put to death by order of President Zelaya himself. They were regularly commissioned officers in the organized forces of a revolution which had continued many weeks and was proceeding in orderly fashion in control of about half of the republic and as such, according to the modern enlightened practices of civilized nations, they were entitled to be dealt with as prisoners of war.

"At the date when this message is printed this government has terminated diplomatic relations with the Zelaya government, for reasons made public in a communication to the former Nicaraguan charge d'affaires, and is intending to take such future steps as may be found most consistent with its dignity, its duty to American interests and its moral obligations to Central America and to civilization. It may be necessary

SAN FRANCISCO PLANNING FOR ANOTHER FAIR

By Associated Press
SAN FRANCISCO, Dec. 7.—The projected Panama Pacific exposition movement took definite shape today when a mass meeting which included 500 of the city's representative business men enthusiastically ratified the preliminary measures of the various committees appointed, and which chose a ways and means committee of 200 members to carry on the work of preparation. The exposition will be held in this city to commemorate the opening of the Panama canal to commerce.

The San Francisco exposition is the second of its kind planned in the state, San Diego having already announced plans for a similar celebration. Representatives from San Diego attended the mass meeting today but did not address the gathering.

HENEY RESIGNS AS SPECIAL PROSECUTOR

By Associated Press
SAN FRANCISCO, Dec. 7.—Francis J. Heney today resigned as assistant district attorney, to which position he was appointed by William H. Langdon as special prosecutor in cases growing out of the so-called bribery and graft investigation.

Try our milk bread—City Bakery.

President Says Zelaya's Government Has Kept Central America in a Constant Turmoil—American Interests Will be Protected.

for me to bring this subject to the attention of congress in a special message.

Expenditures and Revenue

"Perhaps the most important question presented to this administration is that of economy of expenditures and sufficiency of revenue. The deficit of the last fiscal year, and the certain deficit of the current year, prompted congress to throw a greater responsibility on the executive and the secretary of the treasury that had theretofore been declared by statute. This declaration imposes upon the secretary of the treasury the duty of assembling all the estimates of the executive departments, bureaus and offices, of the expenditures necessary in the ensuing fiscal year, and of making an estimate of the revenues of the government for the same period; and if a probable deficit is thus shown, it is the duty of the president to recommend the method by which such deficit can be met.

"The report of the secretary shows that the ordinary expenditures for the current fiscal year ending June 30, 1910, will exceed the estimated receipts by \$34,076,620. If to this deficit is added the sum to be disbursed for the Panama canal, amounting to \$35,000,000, and \$1,000,000 to be paid on the public debt, the deficit of ordinary receipts and expenditures will be increased to a total deficit of \$70,076,620. This deficit the secretary proposes to meet by the proceeds of bonds issued to pay the cost of constructing the Panama canal. I approve this proposal.

"In order to avoid a deficit for the ensuing fiscal year, I directed the heads of departments in the preparation of their estimates to make them as low as possible consistent with imperative governmental necessity. The result has been, as I am advised by the secretary of the treasury, that the estimates for the next fiscal year ending June 30, 1911, are less than the appropriations for this current fiscal year by \$42,818,000. So far as the secretary of the treasury is able to form a judgment as to future income and compare it with the expenditures for the next fiscal year ending June 30, 1911, and excluding payments on account of the Panama Canal, which doubtless will be taken up by bonds, there will be a surplus of \$35,931,000.

"In the present estimates the needs of the departments and of the government have been cut to the quick, so to speak, and any assumption on the part of congress, so often made in times past, that the estimates have been prepared with the expectation that they may be reduced, will result in seriously hampering the proper administration.

Customs Frauds

"I regret to refer to the fact of the discovery of extensive frauds in the collection of the customs revenue at New York City, in which a number of subordinate employees in the weighing and other departments were directly concerned, and in which the beneficiaries were the American Sugar Refining company and others. The frauds consisted in the payment of duty on underweights of sugar. The government has recovered from the American Sugar Refining company all that it is shown to have been defrauded of. The sum was received in full of the amount due, which might have been recovered by civil suit against the beneficiary of the fraud, but there was an express reservation in the contract of settlement by which the settlement should not interfere with, or prevent the criminal prosecution of everyone who was found to be subject to the same.

"Criminal prosecutions are now proceeding against a number of government officers. The treasury department and the department of justice are exerting every effort to discover all wrong doers, including the officers and employees of the companies who have been privy to the fraud. It would seem to me that an investigation of the frauds by congress at present, pending the probing by the treasury department and the department of justice, as proposed, might by giving immunity and otherwise prove an embarrassment in securing conviction of the guilty parties.

Maximum and Minimum Tariff

"Two features of the new tariff act called for special references. By virtue of the clause known as the 'maximum and minimum' clause,

it is the duty of the executive to consider the laws and practices of other countries with reference to the importation into those countries of the products and merchandise of the United States, and if the executive finds such laws and practices not to be unduly discriminatory against the United States, the minimum duties provided in the bill are to go into force. Unless the president makes such a finding, then the maximum duties provided in the bill, that is, an increase of 25 per cent ad valorem over the minimum duties, are to be in force. Fear has been expressed that this power conferred and duty imposed on the executive is likely to lead to a tariff war. I beg to express the hope and belief that no such result need be anticipated.

"The discretion granted to the executive by the terms 'unduly discriminatory' is wide. In order that the maximum duty shall be charged against the imports from a country, it is necessary that he shall find on the part of that country not only discriminations in its laws or the practice under them against the trade of the United States, but that the discriminations shall be found undue; that is, without good and fair reason. I conceive that this power was reposed in the president with the hope that the maximum duties might never be applied in any case, but that the power to apply them would enable the president and the state department by friendly negotiation to secure the elimination from laws and the practice under them of any foreign country of that which is unduly discriminatory. No one is seeking a tariff war or a condition in which the spirit of retaliation shall be aroused.

Uses of New Tariff Board

"The new tariff law enables me to appoint a tariff board to assist me in connection with the department of state in the administration of the minimum and maximum clause of the act and also to assist officers of the government in the administration of the entire law.

"An examination of the law and an understanding of the nature of the facts which should be considered in discharging the functions imposed upon the executive show that I have the power to direct the tariff board to make a comprehensive glossary and encyclopedia of the terms used and articles embraced in the tariff law, and to secure information as to the cost of production of such goods in this country and the cost of their production in foreign countries. I have therefore appointed a tariff board consisting of three members and have directed them to perform all the duties above described. This work will perhaps take two or three years, and I ask from congress a continual annual appropriation equal to that already made for its prosecution. I believe that the work of this board will be of prime utility and importance whenever congress shall deem it wise to again readjust the customs duties. If the facts secured by the tariff board are of such a character as to show generally that the rates of duty imposed by the present tariff law are excessive under the principles of protection as described in the platform of the successful party at the late election, I shall not hesitate to invite the attention of congress to this fact and to the necessity for action predicated thereon.

War Department

"In the interest of immediate economy and because of the prospect of a deficit, I have acquired a reduction in the estimates of the war department for the coming fiscal year, which brings the total estimates down to an amount forty-five millions less than the corresponding estimates for last year. This could only be accomplished by cutting off new projects and suspending for the period of one year all progress in military matters.

"For the same reason I have directed that the army shall not be recruited up to its present authorized strength. These measures can hardly be more than temporary—to last until our revenues are in better condition and until the whole question of expediency of adopting a definite military policy can be submitted to congress, for I am sure that the interests of the military establishment are seriously in need of careful consideration by congress. The laws regulating the organization of our armed forces in the event of war need to be revised in order that

the organization can be modified as to produce a force which would be more consistently applied throughout its numerous branches. To explain the circumstances upon which this opinion is based would necessitate a lengthy discussion and I postpone it until the first convenient opportunity shall arise to send to congress a special message upon this subject.

"The secretary of war calls attention to a number of needed changes in the army, in all of which I concur, but the point upon which I place most emphasis is the need for an elimination bill providing a method by which the merits of officers shall have some effect upon their advancement and by which the advancement of all may be accelerated by the effective elimination of a definite proportion of the least efficient. There are in every army, and certainly in ours, a number of officers who do not violate their duty in any such way as to give reason for a court martial or dismissal, but who do not show such aptitude and skill and character for high command as to justify their remaining in the active service to be promoted. Provision should be made by which they may be retired on a certain proportion of their pay, increasing with their length of service at the time of retirement. There is now a personnel law for the navy which itself needs amendment and to which I shall make further reference. Such a law is needed quite as much for the army.

Expedition in Legal Procedure

"The deplorable delays in the administration of civil and criminal law have received the attention of committees of the American Bar association and of many state bar associations, as well as the thought of judges and jurists. In my judgment, a change in judicial procedure, with a view to reducing its expenses to private litigants in civil cases and facilitating the dispatch of business and final decision in both civil and criminal cases, constitutes the greatest need in our American institutions. I do not doubt for one moment that much of the lawless violence and cruelty exhibited in lynchings is directly due to the uncertainties and injustice growing out of the delays in trials, judgments, and the executions thereof by our courts. Of course, these remarks apply quite as well to the administration of justice in state courts as to that in federal courts, and without making invidious distinction it is perhaps not too much to say that, speaking generally, the defects are less in the federal than in the state courts. But they are very great in the federal courts. The expedition with which business is disposed of both on the civil and criminal side of English courts under modern rules of procedure makes the delays in our courts seem archaic and barbarous. The procedure in the federal courts should furnish an example for the state courts. I presume it is impossible, without an amendment to the constitution, to unite under one form of

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ARE PROBING INTO AFFAIRS OF INSURANCE CO.

By Associated Press
NEW YORK, Dec. 7.—Acting upon the recommendations of State Superintendent of Insurance Hotchkiss, whose preliminary report yesterday disclosed alleged irregularities in the management of the Phoenix Insurance company of Brooklyn, the district attorney's office began an investigation before the grand jury today. Four witnesses were examined during the day, all former business associates of George Sheldon, the deposed president of the company.

Henry Evans, president of the Continental Insurance company, who was elected chairman of the executive committee of the Phoenix, today intimated that other officials besides the president may be deposed as a result of disclosures. Evans stated, however, that stockholders need have no fear, as the Phoenix is sound.

Sheldon is still in a critical condition at his home at Greenwich, Conn.

UNITED STATES SENATOR IN CRITICAL CONDITION

By Associated Press
OMAHA, Dec. 7.—Physicians attending former United States Senator Charles Dietrich reported late tonight that the patient is very low, and his life is despaired of.

REPORTED THAT HEY HAS FILED SUIT FOR LIBEL

By Associated Press
SAN FRANCISCO, Dec. 7.—A story is printed here this afternoon that W. H. Crocker, the San Francisco banker, has been made the defendant in a \$250,000 libel suit, said to have been filed today in New York in behalf of Francis J. Heney, the former special prosecutor in the San Francisco graft cases. The action is said to be based upon an alleged libelous letter which appeared in a New York evening paper, over Crocker's signature. Confirmation of the report is impossible from New York and nothing can be learned here as Heney is out of the city.

PROPERTY OF THE TEXAS OIL TRUST SOLD AT AUCTION

By Associated Press
AUSTIN, Texas, Dec. 7.—The property of the Waters-Pierce Oil company was sold to S. W. Fordyce and associates of St. Louis, at public auction today. The price bid was \$1,431,741. The property of the Security Oil company was purchased by John Sealey of Galveston for \$850,000. The Navarre Refining company's property of Corsicana was also sold to Sealey for \$750,000. The properties were sold as a result of the recent anti-trust suits and ouster proceedings instituted some time ago by the state of Texas.

16 CARS OF LUMBER ARRIVE IN NOVEMBER

TONOPAH LUMBER KING SAYS BUILDING IS ON THE INCREASE

During the month of November Victor Carlson, the lumber man, received 16 carloads of lumber and paid out for freight a sum over \$4,000. This is an important item in itself for it tends to prove that there is considerable building going on in the Tonopah district. In fact it is a revival of the old times when the trains were made up of nothing but lumber cars.

Mr. Carlson stated yesterday that not only was he supplying the Tonopah trade, but that he had shipped several carloads of lumber to the outlying districts. The bulk, however, is consumed in this city in the erection of residences and mining buildings.

HOLIDAY SHOPPING IS MADE EASY

A window that contains a number of very pretty and also useful Christmas presents, can be observed at the Union drug store. Usually the selecting of presents for the holidays appears as a bugbear to the ordinary shopper, and it was with this idea in mind that the window was decorated. A casual glance is sufficient for the selection of a half dozen presents.

A special line of Eastman kodaks has been received in anticipation of the holiday trade, together with all the appurtenances that are required to make amateur photography a pleasure. If you are in doubt about purchasing a Christmas present, just buy a kodak.

ST. MARK'S GUILD
The guild of St. Mark's church will meet at the guild rooms Thursday, Dec. 9, at 2:30 p. m.; Ladies having work for the bazaar, finished or unfinished, will please return it at Thursday's meeting.

R. APPERSON, Sec.

HAD A GLORIOUS JAG

When Wonder declined as a mining camp, Albert Jacques closed his saloon there and stored the stock of goods and fixtures. He returned to the camp a few days ago, and found the saloon and his residence dismantled. There are only 50 people in Wonder and they had a glorious old time while the booze in Jacques' cellar held out. Now Jacques is threatening arrest.

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